

CHINA IN SOMALIA—REOPENING ITS EMBASSY AND BUILDING TRUST

By Dr. Ashley Neese Bybee

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Dr. Ashley Neese Bybee is a Research Staff Member in the Africa Program at the Institute for Defense Analyses.

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By Alexander Noyes

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Soldiers of Kenya Defence Forces look over the bodies of Kenyans at a quarry in Mandera, Kenya, Tuesday, Dec. 2, 2014. Kenya police say that at least 36 quarry workers were killed in an attack in northern Kenya by suspected Islamic extremists from Somalia. Kenyan police chief David Kimaiyo confirmed the workers were killed early Tuesday in Mandera County. (Source: AP Photo.)

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Background

Somalia and China established diplomatic ties in [1960](#), and since then they have maintained a strong bilateral relationship. Somalia was the first East African nation to [grant China diplomatic recognition](#) and lobbied for the People's Republic of China (PRC) to replace the Republic of China as the only lawful representative of China to the UN.

China's foreign policy [principle of non-interference](#) in the domestic politics of partner countries is well documented. Its complementary [foreign-policy principle of equal treatment](#) for all countries—regardless of their level of stability or amount of capacity—is less frequently cited. Thus, even when China closed its Somali embassy in 1991 in the midst of a security crisis that threatened the lives of Chinese diplomats, it [never ceased assistance](#) to Somalia, [continuing to provide](#) reconstruction assistance, debt relief, and humanitarian supplies.

The Embassy and the Ambassador

The ceremony reopening the Chinese embassy in October was attended by a number of high-level officials, including Somali President Hassan Sheikh Mohamud, China's Deputy Minister of Foreign Affairs Zhang Ming, United Nations envoy to Somalia Nicholas Kay, and the new Chinese Ambassador to Somalia, Wei Hongtian. Almost immediately, the embassy staff donated [\\$20,000](#) to assist the 1 million Somali people living in the South who are facing a humanitarian crisis potentially as severe as the famine in 2011. This gesture seems to have been intended to endear embassy staff, and by extension the Chinese people, to the Somali people.

The embassy itself is one of only a very few located outside the UN compound near the airport. President Mohamud has applauded the Chinese decision to locate its embassy in the city of Mogadishu, [stating](#) that it represents China's serious commitment to Somalia and is a vote of confidence in Somalia's future. It also sends a signal to the local population that China is willing to immerse itself in the country despite the risk to the security of the embassy staff and facilities posed by the local terrorist threat, al-Shabaab.

The selection of Ambassador Hongtian reinforces the ties that unite the two countries. Ambassador Hongtian [attended university](#) in Mogadishu, speaks Somali, and is very familiar with the country, culture, and its challenges. In one of Ambassador Hongtian's [first public statements](#), he underscored the importance of the bilateral relationship and dismissed claims that China's latest interest in Somalia is part of a plan to secure natural resources.

Conclusion

Across the African continent, foreign actors—often from developing or transitional countries themselves, such as Brazil, Russia, India, China, Turkey, South Korea, and Iran—are strengthening their diplomatic and economic footprints. In terms of geopolitics, they bring new ideas, institutions, and approaches to engagement. China's long history of engagement

in Africa has recently been mainly economic in nature. But in Somalia, it appears that China is testing a new approach, one focused on taking great risks to build trust in a country suffering from a severe trust deficit. It will be important for regional analysts to track and assess the effectiveness of this approach, as it may be an appropriate model for the growing number of countries looking to make inroads in Africa.

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Repeated Attacks and Response

Kenya has faced continual attacks by al-Shabaab since the country's military incursion into Somalia in 2011. The Westgate mall attack in September 2013 was the most publicized and devastating. As highlighted in the [October 10](#) and [April 17](#) editions of *Africa Watch*, Kenya has responded to such attacks in an often harsh and heavy-handed manner, as exemplified by mass arrests and deportations of Kenya's ethnic Somali community in April 2014. There have been allegations of human rights abuses by the security forces during such sweeps. On December 9, 2014, Al Jazeera [reported](#) on the existence of police "death squads" that carried out extrajudicial killings of Muslim radicals. The government denied these allegations. On December 16, the government [announced](#) that over 500 NGOs had been "deregistered," with 15 NGOs allegedly linked to terror groups.

Sweeping Legislative Amendments

Kenyatta's proposed changes to the country's existing security statutes appear to be a continuation of such hard-line counterterror strategies. Drafted by the Parliamentary Committee on National Security and Administration, the changes, named the Security Laws (Amendments) Bill 2014, aim to amend 21 statutes. The changes would drastically [expand](#) the power of the security services to detain suspects and clamp down on journalists' ability to report on security operations, with jail terms of up to three years for media reports that "undermine investigations or security operations relating to terrorism." The bill would also [reduce](#) the number of asylum seekers and refugees in Kenya from the current 607,000 to 150,000.

[According](#) to Human Rights Watch, other proposed amendments include the following:

- Article 18, to enable police to extend pre-charge detention for up to 90 days with court authorization, well beyond the 24-hour limit that Kenyan law currently allows.
- Article 19, to allow prosecutors to not disclose evidence to the accused if "the evidence is sensitive and not in the public interest to disclose."
- Article 66, to enable NIS [National Intelligence Service] officers to carry out "covert operations," broadly defined as "measures aimed at neutralizing threats against national security."

Criticism of Amendments

The proposed changes have generated vigorous debate and condemnation from the opposition and civil society. Minority Leader Moses Wetang'ula, of the Coalition for Reform and Democracy (CORD) party, [asserted](#), "The Bill, on the face of it, is derogation on the Bills of Rights which are guaranteed in the Constitution. Any attempt to undermine the Bill of Rights will be resisted, including in the courts." *The Daily Nation* [noted](#) in an editorial: "The very real and present dangers must not be used as an excuse to roll back the gains of a free and democratic society."

The government's own Commission for the Implementation of the Constitution (CIC) has also [found](#) fault with several of the amendments, contending that they are in conflict with the new constitution passed in 2010. International groups have also joined the chorus, with Leslie Lefkow of Human Rights Watch [arguing](#), "The hastily offered security bill infringes on many basic rights and freedoms protected in Kenya's constitution and international human rights law."

Conclusion

In the face of strong opposition to the bill, it appears that Kenyatta has decided on a more inclusive strategy, with [reports](#) indicating that he will consult with CORD and other groups before the parliamentary debate on the bill scheduled for December 18. This would be a welcome move, if genuine. While the threat from al-Shabaab is real and should not be underestimated, Kenyatta's hard-line counterterrorism responses have failed to prevent attacks and have proven counterproductive by actually intensifying radicalization. As noted in the October 10 [edition](#) of *Africa Watch*, research by Anneli Botha of the Institute for Security Studies revealed that Kenya's counterterrorism strategy of "collective punishment" has been the most important [driver](#) of al-Shabaab recruitment in Kenya. It is estimated that more than [25 percent](#) of al-Shabaab's current members are native Kenyans.

Unfortunately, Kenyatta's legislative proposals appear to double down on this strategy, while also [watering down](#) imperfect but significant institutional police reforms achieved during the power-sharing government in office from 2008 to 2013. With Kenyatta ostensibly making concessions toward a more inclusive counterterrorism policy-making process, international actors would be wise to help steer the Kenyatta administration in this more moderate direction.

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